DOCUMENT RESUME

ED 473 540 EC 309 409

AUTHOR	Rebhorn, Theresa; Kupper, Lisa
TITLE	Communicating with Your Child's School through Letter Writing. A Parent's Guide. Second Edition.
INSTITUTION	National Information Center for Children and Youth with Disabilities, Washington, DC.
SPONS AGENCY	Special Education Programs (ED/OSERS), Washington, DC.
REPORT NO	PA9
PUB DATE	2002-10-00
NOTE	26p.; See ED 378 727 for previous edition.
CONTRACT	H326N980002
AVAILABLE FROM	National Information Center for Children and Youth with Disabilities (NICHCY), P.O. Box 1492, Washington, DC 20013-1492. For full text: http://www.nichcy.com.
PUB TYPE	Guides - Non-Classroom (055)
EDRS PRICE	EDRS Price MF01/PC02 Plus Postage.
DESCRIPTORS	Communication Skills; Compliance (Legal); *Disabilities; Due Process; Elementary Secondary Education; *Letters (Correspondence); *Parent Participation; Parent Rights; *Parent School Relationship; Parent Teacher Cooperation; Student Rights; Writing Instruction
IDENTIFIERS	*Individuals with Disabilities Education Act

ABSTRACT

Intended for parents of children with disabilities, this guide offers guidance for writing letters to the professionals involved in a child's special education. Basic information about the Individuals with Disabilities Education Act (IDEA) precedes a flow chart breakdown of the 10 steps in the special education process under IDEA. Suggestions for letter writing in general are then offered. The bulk of the guide consists of suggestions and sample letters covering various situations, such as when a parent wants to: (1) discuss a problem; (2) request an evaluation for special education services; (3) request an independent evaluation; (4) request a copy of the child's records; (5) request a meeting to review the child's Individualized Education Program; (6) request that the child's placement be changed; (7) request that the school give prior written notice; (8) request mediation; (9) inform the school of the intention to place the child in a private school at public expense; (10) request a due process hearing; (11) file a complaint with the state; (12) write a follow-up letter; and (13) give positive feedback. (DB)

Reproductions supplied by EDRS are the best that can be made
from the original document.

ED 473 540

Communicating With Your Child's School Through Letter Writing: A Parent's Guide

Edited By
Theresa Rebhorn
Lisa Kupper

October 2002

U.S. DEPARTMENT OF EDUCATION
Office of Educational Research and Improvement
EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

☐ This document has been reproduced as received from the person or organization originating it.

☐ Minor changes have been made to improve reproduction quality.

• Points of view or opinions stated in this document do not necessarily represent official OERI position or policy.

PERMISSION TO REPRODUCE AND DISSEMINATE THIS MATERIAL HAS BEEN GRANTED BY

L. Kupper

TO THE EDUCATIONAL RESOURCES INFORMATION CENTER (ERIC)

1

BEST COPY AVAILABLE

PA9 (2nd Edition), October 2002

NICHCY

A Parent's Guide

Communicating With Your Child's School Through Letter Writing

A publication of the National Information Center for Children and Youth with Disabilities

Throughout your child's school years, there is always a need to communicate with the school's teachers, administrators, and others concerned with your child's education. There are also times when the school needs to communicate with you. This is particularly true when your child has a disability and is receiving special education services. Some of this communication is informal, such as phone calls, comments in your child's notebook, a chat when picking your child up from school or at a school function. Other forms of communication are more formal and need to be written down.

Letters provide both you and the school with a record of ideas, concerns, and suggestions. Putting your thoughts on paper gives you the opportunity to take as long as you need to:

- state your concerns,
- think over what you've written,
- make changes, and
- have someone else read over the letter and make suggestions.

Letters also give people the opportunity to go over what's been suggested or discussed. A lot of confusion and misunderstanding can be avoided by writing down thoughts and ideas.

However, writing letters is a skill. Each letter you write will differ according to the situation, the person to whom you are writing, and the issues you are discussing. This *Parent's Guide* will help you in writing to the professionals involved in your child's special education.

Note: The term "parent" is used throughout this *Parent's Guide* to include natural or adoptive parents, foster parents, surrogate parents, legal guardians, or any primary caregiver who is acting in the role of a parent.

Contents

Background Information 2

The Basic Special Education Process under IDEA..... 3

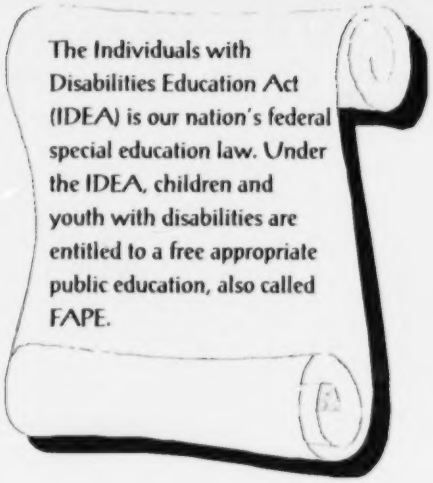
Letter Writing in General ... 6

Sample Letters..... 8

Conclusion..... 23

Background Information

The Individuals with Disabilities Education Act (IDEA)


The Individuals with Disabilities Education Act (IDEA) is our nation's federal special education law. Under the IDEA, children and youth with disabilities are entitled to a free appropriate public education, also called FAPE.

The Individuals with Disabilities Education Act (IDEA) is our nation's federal special education law. Under the IDEA, children and youth with disabilities are entitled to a free appropriate public education, also called FAPE. Using the IDEA as a guideline, each state develops rules on how special education services will be provided to children with disabilities. Each local public school district in every state develops its own policies based on the federal and state regulations. Some states give parents more rights and protections than are in the federal law, so it's important for you to know about your state's special education regulations. Information on how you can get copies of federal, state, and local special education regulations is provided at the end of this *Parent's Guide*.

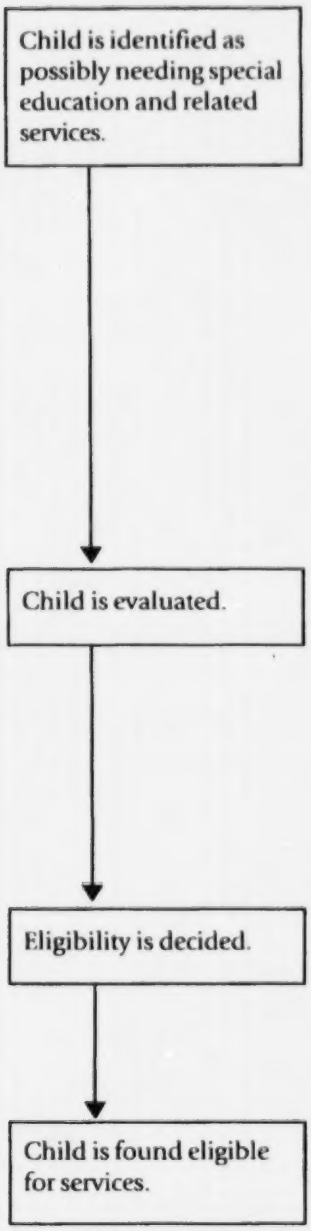
Under the IDEA, each child receiving special education services must have an Individualized Education Program (IEP). The IEP is a written document that the school and parents develop together. Among other things, the IEP describes the child's needs and lists the services that he or she will receive. A flow chart on the next pages shows how the special education process works, beginning with "I think my child may have a problem" and ending with the services that are provided to your child. If your child is receiving special education services, there will be times you will need to write to your child's school. This *Parent's Guide* provides examples of letters you may want to write—see the list on the right.

You'll find sample letters in this guide for when you want to:

1. *Discuss a problem*
2. *Request an evaluation for special education services*
3. *Request an independent evaluation*
4. *Request a copy of your child's records*
5. *Request a meeting to review your child's Individualized Education Program (IEP)*
6. *Request that your child's placement be changed*
7. *Request that the school give you notice of its intended actions or refusal to take an action (called "prior written notice")*
8. *Request mediation when you and the school don't agree*
9. *Let the school know that you intend to place your child in a private school at public expense*
10. *Request a due process hearing when you and the school don't agree*
11. *File a complaint with the State*
12. *Write a follow-up letter*
13. *Give positive feedback*

The Basic Special Education Process Under IDEA*

Here's a brief look at how a student is identified as having a disability and needing special education and related services.


Child is identified as possibly needing special education and related services.
Child is evaluated.
Eligibility is decided.
Child is found eligible for services.

1. *"Child Find."* The state must identify, locate, and evaluate all children with disabilities in the state who need special education and related services. To do so, states conduct "Child Find" activities. A child may be identified by "Child Find," and parents may be asked if the "Child Find" system can evaluate their child. Parents can also call the "Child Find" system and ask that their child be evaluated. Or—

   Referral or request for evaluation. A school professional may ask that a child be evaluated to see if he or she has a disability. Parents may also contact the child's teacher or other school professional to ask that their child be evaluated. This request may be verbal or in writing. Parental consent is needed before the child may be evaluated. Evaluation needs to be completed within a reasonable time after the parent gives consent.

2. The evaluation must assess the child in all areas related to the child's suspected disability. The evaluation results will be used to decide the child's eligibility for special education and related services and to make decisions about an appropriate educational program for the child. If the parents disagree with the evaluation, they have the right to take their child for an Independent Educational Evaluation (IEE). They can ask that the school system pay for this IEE.

3. A group of qualified professionals and the parents look at the child's evaluation results. Together, they decide if the child is a "child with a disability," as defined by IDEA. Parents may ask for a hearing to challenge the eligibility decision.

4. If the child is found to be a "child with a disability," as defined by IDEA, he or she is eligible for special education and related services. Within 30 calendar days after a child is determined eligible, the IEP team must meet to write an IEP for the child.

*This flow chart is drawn from *A Guide to the Individualized Education Program* by the Office of Special Education and Rehabilitative Services (2000), available on-line at: www.ed.gov/offices/OSERS/OSEP/Products/comppubs.html. The document was reviewed by the U.S. Office of Special Education Programs for consistency with the Individuals with Disabilities Education Act Amendments of 1997, Public Law 105-17, and the final implementing regulations published March 12, 1999.

Once the student has been found eligible for services, the IEP must be written. The two steps below ***summarize*** what is involved in writing the IEP.

IEP meeting is scheduled.

5

The school system schedules and conducts the IEP meeting. School staff must:

- contact the participants, including the parents;
- notify parents early enough to make sure they have an opportunity to attend;
- schedule the meeting at a time and place agreeable to parents and the school;
- tell the parents the purpose, time, and location of the meeting;
- tell the parents who will be attending; and
- tell the parents that they may invite people to the meeting who have knowledge or special expertise about the child.

IEP meeting is held and the IEP is written.

6

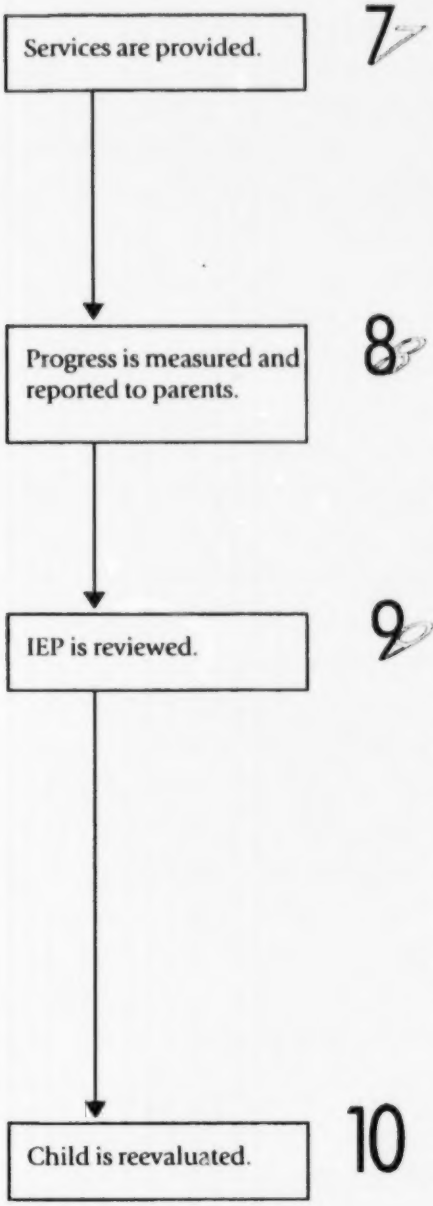
The IEP team gathers to talk about the child's needs and write the student's IEP. Parents and the student (when appropriate) are part of the team. If the child's placement is decided by a different group, the parents must be part of that group as well.

Before the school system may provide special education and related services to the child for the first time, the parents must give consent. The child begins to receive services as soon as possible after the meeting.

If the parents do not agree with the IEP and placement, they may discuss their concerns with other members of the IEP team and try to work out an agreement. If they still disagree, parents can ask for mediation, or the school may offer mediation. Parents may file a complaint with the state education agency and may request a due process hearing, at which time mediation must be available.

Basic Special Education Process under IDEA (cont.)

Here is a brief summary of what happens *after* the IEP is written.



7 The school makes sure that the child's IEP is being carried out as it was written. Parents are given a copy of the IEP. Each of the child's teachers and service providers has access to the IEP and knows his or her specific responsibilities for carrying out the IEP. This includes the accommodations, modifications, and supports that must be provided to the child, in keeping with the IEP.

8 The child's progress toward the annual goals is measured, as stated in the IEP. His or her parents are regularly informed of their child's progress and whether that progress is enough for the child to achieve the goals by the end of the year. These progress reports must be given to parents at least as often as parents are informed of their nondisabled children's progress.

9 The child's IEP is reviewed by the IEP team at least once a year, or more often if the parents or school ask for a review. If necessary, the IEP is revised. Parents, as team members, must be invited to attend these meetings. Parents can make suggestions for changes, can agree or disagree with the IEP goals, and agree or disagree with the placement.

If parents do not agree with the IEP and placement, they may discuss their concerns with other members of the IEP team and try to work out an agreement. There are several options, including additional testing, an independent evaluation, or asking for mediation (if available) or a due process hearing. They may also file a complaint with the state education agency.

10 At least every three years the child must be reevaluated. This evaluation is often called a "triennial." Its purpose is to find out if the child continues to be a "child with a disability," as defined by IDEA, and what the child's educational needs are. However, the child must be reevaluated more often if conditions warrant or if the child's parent or teacher asks for a new evaluation.

Letter Writing in General

As was said in Part A, each state and school district has its own guidelines for special education. These guidelines tell you about the different steps, rights, and responsibilities in the special education process. Call the main office at your child's school and ask for a copy of your district's written guidelines. Also:

- Put all your requests in writing, even if it's not required by your school district. A letter avoids confusion and provides everyone with a record of your request.
- Always, always, always keep a copy of each letter you send. It's useful to have a folder just to store copies of the letters you write.

How long will it take to get an answer to my letter?

Some special education guidelines give the amount of time a school has to respond to a parent's request, some don't. The IDEA says that schools must respond in a "timely manner" or within a "reasonable" period of time. Some states and districts actually define this period by a certain number of days. To find out what is true in your area, check your state and local regulations.

If you have not heard from the school within ten working days of sending your letter, phone the office to make sure the school received your letter. Ask when you can expect an answer. If you have asked for a meeting or other services that require coordinating with several other people, it may take some time to do this. However, it is reasonable for the school to let you know that your request is being worked on.

A letter avoids confusion and provides everyone with a record of your request.

If you need a letter answered in less than ten working days (for instance, if you are moving or have other urgent reasons), let the school know that you have sent—or are delivering—a letter and need a response as soon as possible (or by a specific date). That way, the staff can try to get you a quick response.

To whom do I send my letter?

Many letters will go to your child's teacher. You will send others to the school principal. In some instances, the letter may need to go to the local Director of Special Education or other administrator. Call the person's office to make sure of the spelling of his or her name and the correct mailing address.

Some school districts handle special education requests at the local school level. Other districts assign this job to different administrative people who don't work right in your child's school building. If you are not sure to whom to send your letter, or cannot get good information on who to write, you can always send your letter to the principal. If the principal is not the one directly responsible for answering your request, he or she still is responsible for giving your request to the right person.

Also, send a copy of your letter to your child's teacher, so that he or she will be aware of what is going on and know of your concerns.

In general, what do I say in my letter?

When writing any business letter, it is important to keep it short and to the point. First, start by asking yourself the following questions and state the answers in your letter:

- Why am I writing?
- What are my specific concerns?
- What are my questions?
- What would I like the person to do about this situation?
- What sort of response do I want: a letter, a meeting, a phone call, or something else?

Each letter you write should include the following basic information:

- Put the date on your letter.
- Give your child's full name and the name of your child's main teacher or current class placement.
- Say what you want, rather than what you don't want. Keep it simple.
- Give your address and a daytime phone number where you can be reached.
- Always end your letter with a "thank you."

What are some other tips to keep in mind?

You want to make a good impression so that the person reading your letter will understand your request and say "yes." Remember, this person may not know you, your child, or your child's situation. Keep the tone of your letter pleasant and businesslike. Give the facts without letting anger, frustration, blame, or other negative emotions creep in. Some letter-writing tips include:

- After you write your first draft, put the letter aside for a day or two. Then look at it again and revise it with fresh eyes.
- Read your letter as though you are the person receiving it. Is your request clear? Have you included the important facts? Does your letter ramble on and on? Is it likely to offend, or is the tone businesslike?
- Have someone else read your letter for you. Is your reason for writing clear? Can the reader tell what you are asking for? Would the reader say "yes" if he or she received this letter? Can your letter be improved?
- Use spell check and grammar check on the computer. Or, if you don't have one, ask someone reliable to edit your letter before you send it.
- Keep a copy for your records.

Who can help me with this?

There are many people who can help you with letter writing and other tasks related to your child's special needs. There are disability and parent organizations in every state that can help.

- Local chapters of state, regional, and national disability advocacy organizations can work with you. Most disability organizations are concerned with issues related to a specific disability as well as broader issues of raising a child with a disability. Their membership often includes both parents and professionals.
- Each state has a federally-funded Parent Training and Information Center (PTI). The PTI staff can help explain the laws, policies, and procedures for special education in your state. They can also help with problem-solving ideas.
- Community Parent Resource Centers (CPRCs) also serve families of children and young adults with disabilities. They provide information and training to help families obtain an appropriate education and services for their children with disabilities. They help families connect with community resources.
- State agencies, like the Developmental Disability (DD) Council, Protection and Advocacy Agency (P&A), or state Department of Education can also help explain procedures and make suggestions.
- Many states now fund parent resource centers in local school districts. Ask your Director of Special Education if there's a local parent resource center in your area.

Sample Letters

1 Writing to Discuss a Problem

When might I want to write to my child's school?

Sometimes your child may have a particular problem at school. You may have talked to your child's teacher about this concern. The two of you may have written notes back and forth or talked on the phone. If it seems like nothing is happening to resolve your concern, then you may want to write a formal letter. Perhaps the informal communication hasn't been as clear as you think. Maybe you feel that the seriousness of your concern isn't fully understood. By writing a letter, the school will learn that you consider the matter to be an important one that needs to be addressed.

You can write about any concern—an IEP issue, a general education issue, schoolyard bullying, or the need to help your child's social skills or improve behavior. There are no rules as to the type of problem you can write about. Any school problem is worth writing about if it is having a negative impact on your child and you need the school's assistance to resolve it.

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Principal
Name of School
Street Address
City, State, Zip Code

Dear (Principal's name),

In this paragraph say who you are and give your child's full name and current class placement. Say something positive about your child's situation here, before you state your reason for writing.

BRIEFLY, explain why you are writing. Give *relevant* history and facts that support your concerns. (For example, your 3rd grader is struggling in school and you want to ask for help. You might say that your child's school work has been getting worse throughout the year. That fact *is* relevant. Talking about something from your child's infancy probably isn't.)

In this paragraph state what you would like to have happen or what you would like to see changed. You may BRIEFLY say what you would *not* like, or what has been tried and not worked. However, spend most of this paragraph saying what you want.

Say what type of response you would prefer. For instance, do you need to meet with someone, do you want a return letter, or a phone call?

Finally, give your daytime telephone number and state that you look forward to hearing from the person soon or give a date ("Please respond by the 15th"). End the letter with "Thank you for your attention to this matter."

Sincerely,

Your name

cc: your child's teacher
other staff

Note:
The "cc:" at the bottom of the letter means you are sending a copy of your letter to the people listed after the cc. If you write to the Director of Special Education about a problem at your child's school, you should copy the principal. If you write to the principal about a problem, you should copy your child's teacher or other staff involved with your child. This follows the "chain of command." It also lets people involved know your concerns and that you are taking steps to resolve these concerns.

2 Requesting an Initial Evaluation for Special Education Services

When would I request an evaluation for special education services?

If your child has been consistently struggling in school, his or her problems may be due to a disability. If the school thinks your child may have a disability, they will contact you to request your written permission to evaluate your child. Under the IDEA, you also have the right to ask the school to evaluate your child. The purpose of the evaluation is to see if he or she has a disability and needs special education services. This evaluation is free of charge. (For more information on evaluation, see NICHCY's publication, *Your Child's Evaluation*).

If your child has been identified by your doctor or other professionals as having a disability, you will want to include this information in your letter to the school. You should also provide copies of any reports you have received that explain your child's condition.

If you decide to write the school and ask that your child be evaluated, here's an example of what you may want to say.

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Principal or Special Education Administrator
Name of School
Street Address
City, State, Zip Code

Dear (Principal's or Administrator's name),

I am writing to request that my son/daughter, (child's name), be evaluated for special education services. I am worried that (child's name) is not doing well in school and believe he/she may need special services in order to learn. (Child's name) is in the (_) grade at (name of school). (Teacher's name) is his/her teacher.

Specifically, I am worried, because (child's name) does/does not (give a few direct examples of your child's problems at school).

We have tried the following to help (child's name): (If you or the school have done anything extra to help your child, briefly state it here).

I understand that I have to give written permission in order for (child's name) to be evaluated. Before the evaluation begins, I have some questions about the process that I need to have answered (list any questions you may have). I would be happy to talk with you about (child's name). You can send me information or call me during the day at (daytime telephone number). Thank you for your prompt attention to my request.

Sincerely,

Your name

cc: your child's principal (if letter is addressed to an administrator)
your child's teacher(s)

Note: If your child has been identified as having a disability by professionals outside the school system, add the sentence below *to the end of the first paragraph.*

"(Child's name) has been identified as having (name of disability) by (name of professional). Enclosed is a copy of the report(s) I have received that explains (child's name) condition."

3 Requesting an Independent Educational Evaluation (IEE) at Public Expense

The IDEA gives you the right to have your child evaluated independently. This means you have the right to have your child evaluated by someone other than the staff who work for the school system. The purpose of the evaluation is to see if your child has a disability and, if so, what his or her special needs are. In some cases, you may pay for an Independent Educational Evaluation (IEE). In other cases, the school system may pay for it. If the school system pays for the IEE or sees that the IEE is done at no cost to you, this is known as an *IEE at public expense*. (For more information about an IEE, please see Question #11 in NICHCY's publication called *Questions and Answers about IDEA*.)

Why would I want to request an Independent Educational Evaluation (IEE) at Public Expense?

Sometimes a family may feel that the results of the school's evaluation do not accurately describe their child. They may want additional academic tests or medical exams. Or they may be interested in evaluations in skill areas the school staff did not test. Parents can choose to have their child tested outside the school system, for these or other reasons.

However, if you want *the school to pay* for the IEE, you will need to make your request BEFORE any independent testing is done. Some reasons you may want to request an independent evaluation include:

- You believe the original evaluation was incorrect or incomplete and additional tests are needed.
- The original evaluation was not done in your child's native language.
- The evaluation was not done with the needed accommodations (for example, in Braille or administered by someone who knows sign language).

The school system may agree to your request and pay for the IEE. On the other hand, the school system may deny your request and ask for a hearing to show that its own evaluation was appropriate. You will have the chance at this hearing to state your reasons why the school system should be required to pay for the IEE. An impartial third person (called a hearing officer) listens to and reviews the evidence. This individual then decides if the school system must pay for an independent evaluation. If the hearing officer decides in favor of the school system, you may still obtain an independent evaluation, but you must pay for it. The results of the IEE must be considered by the school in any decision made regarding your child's free appropriate public education.

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Person to Whom You Are Writing
Title
Street Address
City, State, Zip Code

Dear (name),

My son/daughter, (child's name), is in the (_) grade at (name of school), in (teacher's name) class. He/She was evaluated for special education services in (month/year). I am writing to request an Independent Educational Evaluation at public expense, for the following reasons: (BRIEFLY list your reason(s). Be very specific. For example,)

"I disagree with the evaluation results because . . ."

"The evaluation should have included . . ."

"Evaluation should have been done in the area of . . ."

I would like this Independent Educational Evaluation to be done as quickly as possible so that we can fully address (child's name) needs. Please respond as soon as possible and send me copies of the school's guidelines for this. My daytime telephone number is (give your phone number). Thank you.

Sincerely,

Your name

cc: your child's principal
your child's teacher

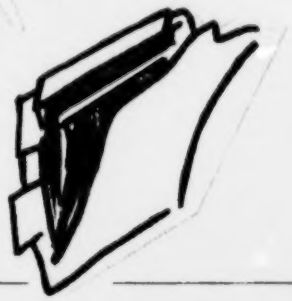
4 Requesting Your Child's Records

The IDEA gives you the right to look at all of your child's education records. This includes records about his or her identification, evaluation, educational placement, and special education program. You also have the right to ask the school to explain and interpret the records for you. You may ask the school to give you a copy of your child's records. They may charge you a reasonable fee for making a copy. (For more information about school records and your rights as a parent, see Question #22 in NICHCY's publication called *Questions and Answers about IDEA*.)

What might be some reasons to request copies of my child's school records?

School records contain valuable information about your child's strengths and areas of need. These records can provide a formal way of communicating between the professionals at your child's school, you, and other professionals who may work with your child. Here are some reasons you might have for requesting a copy of your child's records:

- Reviewing records lets you be sure that the records are correct and contain all necessary information.
- When your family is moving to a new school district, records may need to be sent.
- When you're taking your child for an independent evaluation, copies of past records may be useful.
- The records may help the staff at other programs your child attends (like camp, tutors, or in-hospital schools) design their activities.
- Postsecondary programs may need to see copies of your child's records.
- It's a good idea to have a copy for your home files, especially if your child is finishing school.



Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Person to Whom You Are Writing
Title
Street Address
City, State, Zip Code

Dear (name),

I am writing to schedule a time to come and review all of my child's records. My son/daughter, (child's name), is in the (___) grade at (name of school), in (teacher's name) class. I will also need copies of some or all of these records.

Please let me know where and when I can come in to see the records. I need these records by (date). You can reach me during the day at (give your phone number).

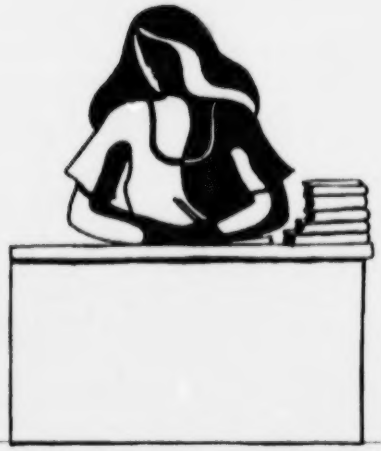
I look forward to hearing from you soon. Thank you for your assistance.

Sincerely,

Your name

5 Requesting a Meeting to Review the Individualized Education Program (IEP)

If your child is receiving special education services, he or she must have a written plan known as an Individualized Education Program (IEP). The IEP lists, among other things, annual goals and objectives for your child and the special education services that he or she will receive. You are a member of the team that writes your child's IEP. As an IEP team member, you can ask that your child's IEP be reviewed and revised, if needed. This part of the *Parent's Guide* looks at writing a letter to request that your child's IEP be reviewed.



Why might I ask for a review of my child's IEP?

Some reasons for requesting an IEP review include:

- Your child has met one, or several, of the goals written in the IEP.
- Your child does not seem to be making enough progress toward one, or several, of the goals written in IEP.
- You feel your child needs more services or other services in order to make progress.
- You feel that your child no longer needs a service he or she is currently receiving.
- Your child has experienced a major change, such as illness, injury, or surgery.

(For more information about review of the IEP, please see Question #20 in NICHCY's publication called *Questions and Answers about IDEA*. NICHCY also offers *A Parent's Guide: Developing Your Child's IEP*, which you might find helpful when dealing with IEP issues.)

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Your Child's Special Education Teacher
Name of School
Street Address
City, State, Zip Code

Dear (Teacher's name),

I am writing to request an IEP review meeting. I would like to discuss making some possible changes in (child's name)'s IEP. I am concerned about (state your reasons, but don't go into detail about the specific changes you want to make--save those for the meeting).

I would also like to have (names of specialists or other staff) attend. I think his/her/their ideas about the changes we may need to make will be valuable.

I can arrange to meet with you and the other members of the IEP team on (days) between (give a range of time, such as between 2:00 and 4:00). Please let me know what time would be best for you.

I look forward to hearing from you soon. My daytime telephone number is (give your phone number). Thank you for your help.

Sincerely,

Your name

cc: specialists or other staff

6 Requesting a Change of Placement

Placement means where your child's IEP is carried out. Depending on your child's needs, his or her placement may be in the general education classroom, in a special education classroom, in a special school, in your home, in a hospital or institution, or in another setting. Placement is based on the IEP. Therefore, when you request a change in placement, you are actually requesting an IEP review to discuss your child's needs and where those needs are met.

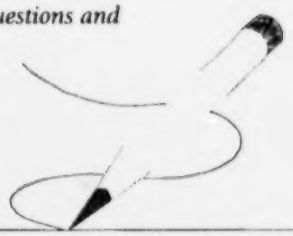
Why might I ask for a change in my child's placement?

You might want to request a change in your child's placement if you feel that your child's needs are not being met appropriately. For example, you may become concerned about your child's placement after reviewing your child's progress reports; reviewing the results of any state, district-wide, or alternate assessments your child has been given; talking with your child's teacher or other service providers; or talking with your child.

Placement concerns might also include:

- changes in your child's needs;
- current class size is too large or too small;
- current class is too academic or not academic enough;
- the placement does not meet your child's social or emotional needs;
- the building is too difficult for your child to get around; or
- any other reason that this class placement is not working out successfully.

(For more information about placement, please see Question #19 in NICHCY's publication called *Questions and Answers about IDEA*.)



Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Principal or Special Education Administrator
Name of School
Street Address
City, State, Zip Code

Dear (Principal's or Administrator's name),

I am writing to request a meeting to discuss a change in placement for my son/daughter, (child's name). He/she is currently in the (___) grade in (teacher's name) class. I feel he/she needs to be in (name of alternative, if you know; otherwise describe the type of placement you feel is more appropriate for your child, such as your neighborhood school, a center-based program, general education class, or special class).

I am most concerned about (keep this paragraph brief and mention your child's unmet needs, not problems with individual people).

I would also like to have (name of teacher(s) and/or any specialists you would like from the current and/or requested placement) attend this meeting.

I can arrange to meet with the rest of the IEP team on (days) between (give a range of time, such as between 8:00 a.m. and 10:00 a.m.). Please let me know what time would be best.

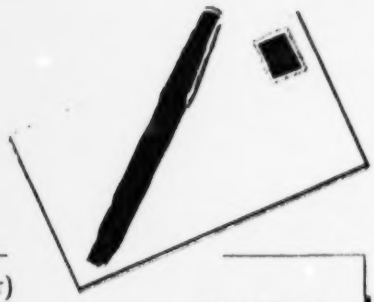
I look forward to hearing from you soon. My daytime telephone number is (give your phone number). Thank you for your time.

Sincerely,

Your name

cc: your child's principal (if letter is addressed to an administrator)
your child's teacher(s)
specialists or other staff

Requesting Prior Written Notice



What is prior written notice, and why would I want it?

There are certain times when the school must put in writing its decisions about your child's education and the reasons for those decisions. This written communication is called *prior written notice*. You have the right to receive prior written notice whenever the school wants to (or refuses to):

- evaluate your child,
- change your child's disability identification,
- change your child's educational placement, or
- change the way in which your child is provided with FAPE.

The school system is supposed to automatically provide you with prior written notice in any of these events. In practice, though, sometimes the school may tell you its decision over the telephone, in a meeting, or in a one-on-one conversation. If you want the notification in writing, you may ask the school system to provide it. And it is best that you put your request in writing.

For example, you may have asked for an IEE at public expense. The school system may tell you on the phone that it has denied your request. You may ask for prior written notice of this denial. The school must then put its decision in writing and explain the reasons for the decision. This information can be helpful if you pursue the IEE through a due process hearing. You will then have in writing the school system's reasons for denying the IEE.

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Person to Whom You Are Writing
Title
Street Address
City, State, Zip Code

Dear (name),

At our meeting (or) during our phone conversation on (date), we discussed my child's (evaluation, eligibility, placement, IEP, services, etc.). I requested (_____). . . and was denied (or) I was told the school intends to (_____). . . but I have never received any information about this decision in writing. In accordance with the IDEA regulations, I am requesting prior written notice regarding (be very specific about the issue/decision you want the school to respond to. Bullet or number the items.)

According to the IDEA, at 34 CRF §300.503, prior written notice must include the following:

1. A description of what the school is proposing or refusing to do;

2. An explanation of why the school proposes or refuses this action;

3. A description of any other options the school considered and the reasons why those options were rejected;

4. A description of each evaluation procedure, test, record, or report the school used as a basis for this decision;

5. A description of any other relevant factors that went into this decision;

6. Information on how I can obtain a copy of procedural safeguards available to me under the law and a full explanation of the safeguards, and

7. Information on sources I can contact for help in understanding IDEA's regulations.

I look forward to receiving a detailed response to my request as soon as possible. Thank you for your assistance.

Sincerely,

Your name

cc: the principal, supervisor, or special education administrator
other members of the meeting

Requesting Mediation

When would I make a request for mediation?

Anytime you have a serious disagreement with the school and you feel it isn't getting resolved, you may request mediation. In mediation, you and school personnel sit down with an impartial third person (called a mediator), talk openly about the areas where you disagree, and try to reach an agreement. Mediation is voluntary, though, and *both parties must agree to meet with a mediator*. There are benefits to mediation, both for you and for the school. One of the chief benefits is that mediation allows you and the school to state your concerns and work together to reach a solution that focuses on the needs of the student and is acceptable to both of you.

(For more information on mediation, see Question #25 in NICHCY's publication called *Questions and Answers about IDEA*. A booklet on mediation is also available from CADRE, the Consortium for Appropriate Dispute Resolution in Special Education. You can contact CADRE at (541) 686-5060 for the booklet, or download it from their Web site at: www.directionservice.org/cadre. You may also want to get information on mediation from your PTI or P&A.)

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Person to Whom You Are Writing
Title
Street Address
City, State, Zip Code

Dear (name),

My son/daughter, (child's name), currently attends (name of school) and is in the (___) grade in (teacher's name) class. I am writing to inform you that the school and I are in disagreement concerning (BRIEFLY state what the disagreement is about). We have been unsuccessful in resolving this dispute, and I am requesting mediation so that we may resolve our differences.

I would like the mediation to be done as soon as possible. Please let me know when this can be arranged and send me a copy of the school's guidelines on mediation. My daytime telephone number is (give your phone number). Thank you for your assistance in this matter.

Sincerely yours,

Your name

cc: your child's principal
your child's teacher

9 Informing the School that You Intend to Enroll Your Child in a Private School at Public Expense

What do I do if I think my child's placement should be in a private school?

In a very few cases, the most appropriate placement for a child is in a private school. When this placement decision is made by the public school IEP team or placement group, the public school pays the cost of the private school. Sometimes a parent may feel that a recommended public school placement is not appropriate for his or her child. The parent may reject that placement and decide to enroll his or her child in a private school. If you find yourself facing this decision *and* you want the public school to reimburse you for the cost of the private school, there are several things you need to know.

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Principal or Administrator
Name of School
Street Address
City, State, Zip Code

Dear (Principal's or Administrator's name),

My son/daughter, (child's name), is a special education student in the (_) grade in (name of teacher)'s class at (name of school). Recently, I attended a meeting to determine (child's name)'s school placement. I am writing to inform you that I reject the proposed placement for (child's name), and intend to enroll him/her in a private school at public expense. At the most recent IEP meeting, held on (date), I informed the other team members of my decision.

The reasons for my decision are as follows: (Keep this section brief, list specifics for why you believe the public school placement is not appropriate for your child).

(Child's name) will be attending (name of private school), effective (date).

Should you wish to discuss this matter further, I can be reached at (give your phone number). Thank you for your time.

Sincerely,

Your name

cc: your child's principal (if letter is addressed to an administrator)
your child's teacher(s)

1. A court or a hearing officer may require the school district to reimburse you if the court or hearing officer decides that:

(a) the public school did not make FAPE available prior to your child's enrollment in the private school, and

(b) the private placement is appropriate.

2. Your request for reimbursement may be reduced or denied if before enrolling your child in the private school:

(a) at the most recent IEP meeting, you did not inform the school that you reject the proposed placement and intend to enroll your child in a private school at public expense, and

(b) at least 10 business days prior to removing your child from the public school, you did not give the school written notice. (For more information please see Question #28 in NICHCY's publication called *Questions and Answers about IDEA*.)

To the left is an example of a letter you might send if you decide to enroll your child in a private school and want the public school to pay for it.

Once you have sent this letter to the school, you will also need to make a request for a due process hearing so that a hearing officer can decide whether or not the public school must reimburse you for the costs of the private school. See the section on due process on the next page (page 17).

10 Requesting a Due Process Hearing

You've read about due process in other places in this *Parent's Guide*. Due process is one approach that parents and schools can use to resolve disagreements. Basically, in a due process hearing, you and the school present evidence before an impartial third person called a hearing officer. The hearing officer then decides how to resolve the problem.

You have the right to request a due process hearing on any matter related to

- your child's identification as a "child with a disability,"
- his or her evaluation,
- his or her educational placement, and
- the special education and related services that the school provides to your child.

(For more information on due process hearings, see Question #26 in NICHCY's publication called *Questions and Answers about IDEA*. You may also want to talk to your PTI or P&A.)

When should I request a due process hearing?

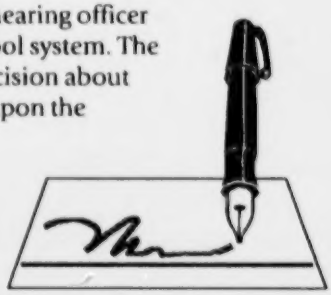
Some reasons why a parent might file for due process include:

- The school refuses to evaluate your child.
- You disagree with the eligibility decision.
- You disagree with the services, goals, or objectives in the IEP.
- The school refuses to provide a related service, modification, or supplementary aid you think your child needs.
- You disagree with the placement decision.

Generally speaking, when the family and school disagree, it is important for both sides to first discuss their concerns and try to reach a compromise. Remember, the goal is to provide an appropriate education for your child. There are many options when deciding what an appropriate education is, and some trial and error may be necessary to develop a successful program for your child.

However, if you and the school have fully communicated, understand each other's positions, tried such strategies as IEP meetings and/or mediation, and you still disagree, you may want to request a due process hearing. A due process hearing is a formal proceeding. As was said above, you and the school system share your information and concerns in front of a qualified, impartial hearing officer. The school system will probably be represented by an attorney. While parents are not required to have an attorney, you are strongly encouraged to have one. Your state's PTI center will have information on special education attorneys in your area. The school system must also tell you about any free or low-cost legal (and other relevant) services available in the area if you request a due process hearing or if you simply request this information.

In the due process hearing, the hearing officer will listen to both you and the school system. The hearing officer will then make a decision about how to resolve the conflict, based upon the evidence and the requirements of law.



How do I request a due process hearing?

Send your letter requesting a due process hearing to the person in charge of due process hearings for the school system. This may be the Superintendent of Schools, or the Director of Special Education, or another school official. You (or your attorney) can call the Director of Special Education in your school system to find out the name, title, and address of the person responsible for due process hearings. Send your request to this individual. Your request will then be given to a hearing officer. The hearing officer is responsible for setting the date, time, and place of the hearing. Unless both you and the school system agree differently, the hearing must be held *and* the decision must be made by the hearing officer no later than 45 days after the school system receives your request for the hearing.

Under IDEA, when you ask for a due process hearing, your request must include:

- the name of your child;
- the address of your child's residence;
- the name of your child's school;

- a description of the problem, including facts relating to the problem; and
- how you would resolve the problem, to the extent that a solution is known and available to you as parents.

Also, each state is required to have a model form to help parents request a due process hearing. You are not required to use the model form. However, if you want, you should be able to get a copy of this model from your school system or state department of education.

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Person to Whom You Are Writing
Title
Street Address
City, State, Zip Code

Dear (name),

I am writing to request a due process hearing on behalf of my child, (child's name), whose address is (give your child's address, even if it is the same as your own). (Child's name) attends (name of school).

I have met with school personnel in an effort to resolve our differences concerning my son's/daughter's (IEP, placement, testing, or . . .) and have been unable to do so. The nature of our disagreement is as follows:

- Explain the problem with BRIEF statements of fact.
- Consider listing the facts with bullets or numbers.
- An acceptable resolution of the problem would include . . . (To the extent that you know how you want the disagreement to be resolved, state these facts here, again bulleting or numbering the items if possible.)

Please advise me as soon as possible as to the date and time of this hearing so that I can make the necessary arrangements. My daytime telephone number is (give your phone number).

I also request that this hearing be (open/closed) to persons other than those directly involved. (Child's name) will/will not attend the hearing. Thank you for your assistance.

Sincerely,

Your name

cc: your child's principal
your advocate/attorney

11 Filing a Complaint with the State Education Agency

What's a complaint, and why would I file one?

You've read about two means of resolving conflicts with the school system: mediation and due process. A third means is filing a complaint with the State Education Agency (SEA). Under IDEA, you have the right to file a complaint when you believe that the state or school district has violated a requirement of the IDEA. The SEA must resolve your complaint within 60 calendar days (not business days) from the day they receive it, unless there are exceptional circumstances with respect to the complaint. The complaint process can be effective in resolving conflicts with the school system and is less costly than a due process hearing.

General information about the state complaint procedure is available in NICHCY's publication called *Questions and Answers about IDEA* (see Question #27). Contact your SEA for information about policies in your state. Whenever you file a complaint (or seek mediation or due process), it is a good idea as well to seek advice from the Parent Training and Information Center (PTI) or the Protection and Advocacy Agency (P&A) in your state. These organizations are listed on NICHCY's *State Resource Sheet* for your state and are available by calling NICHCY at 1.800.695.0285 or visiting our Web site: www.nichcy.org.

You can file a complaint with the SEA about any of the matters for which you might otherwise file a request for a due process hearing, as well as for any other reason you feel that the school system has violated the IDEA. However, be aware that, if you write a complaint on an issue that is also part of a current due process hearing, the SEA will not investigate this issue. The due process hearing takes precedence over the complaint process. The SEA will only investigate those issues in your complaint that are not part of your due process hearing.

The PTI or P&A in your state can help you identify the specific sections of IDEA to list in your complaint.

Some examples of issues you might write a complaint letter about include:

- Your child is denied the opportunity to attend or participate in school-sponsored events, such as field trips or after school activities.
- Your child has a shorter school day, because the special education students arrive later or are dismissed from school earlier than the general education students are.
- You use mediation to resolve a disagreement with the school, but the school fails to implement the signed agreement.
- The school fails to give you appropriate prior written notice. Or,
- You have a decision from a hearing officer that the school district is not implementing.

How do I file a complaint with the State Education Agency?

Your state's policies for filing a complaint should be included in its IDEA regulations. Call your local special education office or the SEA if you need more information about the policies. Also ask for the name and address of the person to whom you should write your letter. Your complaint must be signed. It must also contain:

- a statement that a public agency (for example, your school system) has violated a requirement of Part B of the IDEA or its regulations, and
- the facts on which you base this statement.

The letter on the next page (page 20) is an example of how you might write this complaint. Note that it is important to state what requirement of the law has been violated. The PTI or P&A in your state can help you identify the specific sections of IDEA to list in your complaint.

Sample Letter 11: Filing a Complaint with the State Education Agency

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Person to Whom You Are Writing
Title
Street Address
City, State, Zip Code

Dear (name),

I am writing to file a complaint on behalf of my son/daughter, (child's name), regarding his/her education in the (name of school district). The nature of my complaint is as follows:

- Explain the problem with BRIEF statements of fact.
- Consider listing the facts that support your complaint with bullets or numbers.

For the above reasons, I believe the school district is in violation of certain requirements in the Individuals with Disabilities Education Act, specifically: (list the requirements of IDEA you feel the school system has violated. For example,

"The school system has violated the following requirements of the IDEA:

- to consider whether my child needs assistive technology services or devices, as required by Section 300.346;
- to make available to my child assistive technology services and devices, as required by Section 300.308; and
- to include in my child's IEP a statement of the special education, related services and supplementary aids and services, including assistive technology, that he/she needs as required by Section 300.347.")

Enclosed are copies of relevant documents and correspondence I have sent to and received from the school district concerning this matter. These documents are (List the documents you have enclosed, giving the date sent, by whom, to whom, and the issue discussed.)

Please provide me with copies of any information you obtain in the process of investigating my complaint. If you need further information or clarification on my complaint, I can be reached at (give your phone number). Thank you.

Sincerely,

Your name

cc: school district special education director
your child's principal
your advocate/attorney

12 Writing a Follow-up Letter

What do I do if I don't get a response to my first letter?

When you have written a letter making a request, you should get a response from the school system, either by telephone or in writing, within a reasonable period of time. In some cases, "reasonable" is defined (for example, local policy may say the school must answer you within 15 working days). In other cases, the timelines are not exact. So, be reasonable in your expectations. But if you feel too much time has passed (10 working days or so) without receiving a response to your letter, then call and ask if your letter has been received. If you are sure the school has received your letter (some parents send their letters by certified or registered mail), then ask when you can expect an answer. More than likely, when you call you will talk to a secretary or administrative assistant. Leave a message for the person you wrote to; ask that person to call you back.

If your request still goes unanswered, then you may want to write again. It's useful to enclose a copy of your original request with this letter. Be sure *not* to send your only copy. Remember, you always need to have a copy for your records.

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Person To Whom You Originally Wrote
Street Address
City, State, Zip Code

Dear (name),

I wrote to you on (date) and also called to make sure you had received my letter. I left a message for you to call me back on (date), but since I have not heard from you, I thought it best to write again.

I am writing to request . . .

Enclosed is a copy of my first letter to you.

I would like to hear from you by (give a date, 3-5 working days). Thank you for your prompt attention to this matter.

Sincerely,

Your name

Enclosure

13 Writing a Positive Feedback Letter

Once you've begun to write letters, be sure to write when things are going well, too! If a teacher, therapist, or other staff member has made good things happen for your child, let them and their supervisors know. Everyone likes and needs compliments and encouragement from time to time. Positive feedback is what keeps good schools running well. Just as you want to know "how it's going," so does the school staff.

Good communication, team work, and effective schools take a lot of hard work. There's an old saying that goes, "Things can go wrong all by themselves, but you have to work hard to make things go right." This statement applies doubly to maintaining a successful parent-professional working relationship. Be sure your child's teacher(s), principal, and superintendent also hear from you when things are going right.

Today's Date (include month, day, and year)

Your Name
Street Address
City, State, Zip Code
Daytime telephone number

Name of Person to Whom You Are Writing
Title
Street Address
City, State, Zip Code

Dear (name),

I am writing to let you know how very pleased I am with the education my son/daughter, (child's name), is receiving at (name of school).

(Child's name) has had great success with (briefly say what is going right). In particular, (name the professionals working with your child and how they have made a difference).

I look forward to (child's name) making continued progress. Thank you for all your efforts, and those of your staff.

Sincerely,

Your name

cc: If you write to the school district's Superintendent or Director of Special Education, make sure to copy the people who directly deserve recognition for your child's success—the principal, teachers, and other staff.

Conclusion

Writing letters is an important part of communication. As your son or daughter goes through school, you may have many occasions to write a letter. In advocating for your child's needs, it is important to be able to write in a way that is effective and to the point.

When you communicate your thoughts, ideas, and concerns, you define your child's needs. When you emphasize the positive aspects of your child's education, you develop a good working relationship with the professionals in your child's life. When you convey "what works" rather than spending time and energy on what doesn't work, you become a stronger advocate for your child.

When you need to state concerns or problems in writing, do so in a factual, non-emotional, and businesslike way; this will ultimately help you get the results you want for your child.

And a final note...

How to Get the IDEA Regulations

The IDEA regulations are in the *Code of Federal Regulations*, or CFR. They were published March 12, 1999 and are referenced as 34 CFR, Part 300.

On the Web, you can download a copy of the federal regulations.

www.ed.gov/offices/OSERS/IDEA/regs.html

www.ideapractices.org

To get a copy by mail:

Contact EDPUBS at: 1.877.433.7827 (voice), 1.877.576.7734 (TTY/TTD), or order on-line at www.ed.gov/pubs/edpubs.html.

Call or write the Government Printing Office at (202) 512-1800, Government Printing Office, Superintendent of Documents, P.O. Box 37195-7954, Pittsburgh, PA 15250.

How to Get a Copy of State or Local Special Education Regulations

- Ask for state special education regulations from your state department of education. Look in the Blue Pages of the phone book for the number.
- Ask for local school district regulations from your local school board office or from the director of special education for your district.

NICHCY *Parent Guides* are published in response to questions from individuals and organizations that contact us. NICHCY also disseminates other materials and can respond to individual requests for information. For further information or assistance, or to receive a NICHCY *Publications Catalog*, contact NICHCY, P.O. Box 1492, Washington, DC 20013. Telephone: 1.800.695.0285 (V/TTY) and 202.884.8200 (V/TTY). You may also e-mail us (nichcy@aed.org) or visit our Web site (www.nichcy.org), where you will find all of our publications.

NICHCY thanks our Project Officer, Dr. Peggy Cvach, at the Office of Special Education Programs, U.S. Department of Education.

Director ..... Suzanne Ripley
Assistant Director ..... Donna Waghorn
Authors/Editors ..... Theresa Rebhorn & Lisa Küpper

This information is copyright free. Readers are encouraged to copy and share it, but please credit the National Information Center for Children and Youth with Disabilities (NICHCY). Please share your ideas and feedback with our staff by writing to the Director of Publications.

NICHCY

National Information Center
for Children and Youth with Disabilities
P.O. Box 1492
Washington, DC 20013-1492
800.695.0285 (V/TTY)
202.884.8200 (V/TTY)
E-mail: nichcy@aed.org
Web: www.nichcy.org

IDEAs that Work
U.S. Office of Special Education Programs

Publication of this document is made possible through Cooperative Agreement #H326N980002 between the Academy for Educational Development and the Office of Special Education Programs of the U.S. Department of Education. The contents of this document do not necessarily reflect the views or policies of the Department of Education, nor does mention of trade names, commercial products, or organizations imply endorsement by the U.S. Government.

The Academy for Educational Development, founded in 1961, is an independent, nonprofit service organization committed to addressing human development needs in the United States and throughout the world. In partnership with its clients, the Academy seeks to meet today's social, economic, and environmental challenges through education and human resource development; to apply state-of-the-art education, training, research, technology, management, behavioral analysis, and social marketing techniques to solve problems; and to improve knowledge and skills throughout the world as the most effective means for stimulating growth, reducing poverty, and promoting democratic and humanitarian ideals.

AED

U.S. Department of Education
Office of Educational Research and Improvement (OERI)
National Library of Education (NLE)
Educational Resources Information Center (ERIC)

NOTICE

Reproduction Basis

[X] This document is covered by a signed "Reproduction Release (Blanket)" form (on file within the ERIC system), encompassing all or classes of documents from its source organization and, therefore, does not require a "Specific Document" Release form.

[ ] This document is Federally-funded, or carries its own permission to reproduce, or is otherwise in the public domain and, therefore, may be reproduced by ERIC without a signed Reproduction Release form (either "Specific Document" or "Blanket").